

## REMARKS

The following remarks are submitted to address the above amendments and issues raised in the Official Action mailed April 4, 2006.

A Request for Extension of Time to extend the period for responding to this Office Action to September 5, 2006, is filed herewith.

Upon entry of the foregoing amendments, claims 1, 3, 5, 7-10, 12, 14, and 16-36 are now pending in this application. Claims 1, 3, 5, 7-10, 12, 14, 16-17, and 19-21 stand rejected under 35 USC § 102(b) as being anticipated by D'Amato et al. (U.S. Patent No. 5,003,915). Claims 1-17 and 19-21 stand rejected under 35 USC § 102(b) as being anticipated by West et al. (U.S. Patent No. 3,412,707). Claim 18 stands rejected under 35 USC § 103(a) as being unpatentable over D'Amato et al. or West et al. in view of Hall (U.S. Patent No. 4,174,720). Claims 22-36 are new. The Abstract of the Disclosure stands objected to because it exceed the 150 word limit.

No new matter has been added. Support for requested amendments can be found in the original claims and throughout the present specification and drawings. Applicant respectfully requests consideration of the application in light of the above amendments and the following remarks.

### Specification

The objection to the Abstract of the Disclosure as exceeding the 150 word limit is respectively traversed. The Official Action states that the Abstract of the Disclosure is objected to because it exceeds the 150 word limit, and that correction is required. (Official Action, p. 2.) The Abstract of the Disclosure has been rewritten herein to include less than 150 words. Therefore, the Office is respectfully requested to withdraw the objection to the Abstract of the Disclosure.

**Claims 1, 3, 5, 7-10, 12, 14, 16-17, and 19-21 – 35 USC § 102(b)**

The rejections of claims 1, 3, 5, 7-10, 12, 14, 16-17, and 19-21 under 35 USC § 102(b) as being anticipated by D'Amato et al. are respectfully traversed.

Claim 1 of the present invention claims “[a]n apparatus for applying an additive material to a continuous advancing strip of a paper web within a cigarette making machine, the apparatus comprising: a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face; a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face; *a third roller in roll contact with the second roller* and adapted to (a) receive the additive material to desired locations on its roll face from the roll face of the second roller and (b) apply that additive material to the continuous advancing strip of paper web; and *a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web, wherein the paper web is suitable for making a continuous smokable rod.* (Claim 1, emphasis added.)

Claim 10 of the present invention claims “[a]n apparatus for applying an additive material to a continuous advancing strip of a paper web within a cigarette making machine, the apparatus comprising: a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face; a second roller having a roll face and being in roll contact with the first roller; a means for supplying the additive material to at least a portion of the roll face of the second roller; *a third roller having a roll face and being in roll contact with the second roller;* a means for transferring some of the additive material on the roll face of the second roller to the third roller at predetermined locations on the roll face of the third roller; and a means for providing transfer of the additive material on the predetermined locations on the roll face of the third roller to desired regions of the paper web, comprising *a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the*

*paper web, wherein the paper web is suitable for making a continuous smokable rod.* (Claim 10, emphasis added.)

Claim 14 of the present invention claims “[a]n apparatus for manufacturing a continuous cigarette rod, the apparatus comprising: a bobbin for supplying a continuous strip of a paper web suitable for making a continuous smokable rod; a garniture region for forming a continuous smokable rod; an apparatus for applying an additive material to the continuous strip of a paper web, the applicator apparatus (a) being located between the bobbin and the garniture region such that the paper web supplied by the bobbin has the additive material applied thereto prior to entering the garniture region; (b) having a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face, (c) having a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face, and (d) having *a third roller in roll contact with the second roller* and adapted to (i) receive the additive material to desired locations on its roll face from the roll face of the second roller and (ii) apply that additive material to the continuous strip of a paper web, and (e) having *a fourth roller having a roll face (i) located in roll contact with the third roller and (ii) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web.* (Claim 14, emphasis added.)

Claim 19 of the present invention claims “[a] method for applying an additive material to a continuous advancing strip of a paper web suitable for forming a continuous smokable rod within a cigarette making machine, the method comprising: providing a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face; providing a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face from the first roller; providing *a third roller in roll contact with the second roller* and adapted to (a) receive the additive material to desired locations on its roll face from the roll face of the second roller and (b) apply that additive material to the continuous advancing strip of paper web; providing *a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third*

*and fourth rollers; operating the rollers such that additive material is supplied to a region on the roll face of the second roller, the additive material is transferred from the second roller in a predetermined manner, and the additive material is transferred from the roll face of the third roller to the continuous advancing strip of a paper web in a predetermined manner when the paper web passes between the third and fourth rollers; and advancing the strip of a paper web to a garniture region in the cigarette making machine for forming a continuous smokable rod.*

(Claim 19, emphasis added.)

Claim 20 of the present invention claims “[a] method for applying an additive material to a continuous advancing strip of a paper web suitable for forming a continuous smokable rod within a cigarette making machine, the method comprising: providing a first roller having a roll face; providing a second roller having a roll face; providing a third roller having a roll face; providing a fourth roller having a roll face; rotating the first, second, and third rollers; *supplying the additive material from a reservoir to the roll face of the first roller; supplying the additive material to the roll face of the second roller through roll interaction of the first roller with the second roller; supplying the additive material to predetermined locations on the roll face of the third roller through roll interaction of the second roller with the third roller; continuously advancing the strip of a paper web so as to provide a moving strip of paper web between the roll faces of the third and fourth rollers; contacting the roll face of the third roller with the roll face of the fourth roller and with the moving strip of paper web so as to transfer the additive material to the web in a predetermined pattern;* and advancing the strip of a paper web to a garniture region in the cigarette making machine for forming a continuous smokable rod. (Claim 20, emphasis added.)

Claim 21 of the present invention claims “[a] method for applying an additive material to a continuous advancing strip of a paper web suitable for forming a continuous smokable rod within a cigarette making machine, comprising the steps of: supplying the continuous advancing strip of a paper web; providing a first roller having a roll face; providing a second roller having a roll face; providing an additive reservoir adjacent to the first roller for containing the additive

material; supplying the additive material from the reservoir to the roll face of the first roller; supplying the additive material to the roll face of the second roller through roll interaction of the first roller with the second roller; providing a third roller (a) having dies protruding from the third roller, each die having a roll face, (b) adapted to receive the additive material from the roll face of the second roller on the roll faces of the dies, (c) having the roll faces of the dies in roll contact with the second roller, (d) having the roll faces of the dies in contact with the paper web, and (e) adapted to transfer the additive material from the roll faces of the dies to the paper web; *transferring the additive material from the roll face of the second roller to the roll faces of the dies by contacting the roll faces of the dies of the third roller with the roll face of the second roller*; providing *a fourth roller having a roll face (a) in roll contact with the roll faces of the dies and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers*; *transferring the additive material to the paper web by contacting the roll faces of the dies of the third roller with the paper web when the paper web passes between the third and fourth rollers*; and advancing the strip of a paper web to a garniture region in the cigarette making machine for forming a continuous smokable rod. (Claim 21, emphasis added.)

The Official Action states that D'Amato et al. discloses an apparatus for applying an additive material from a reservoir 69 to a paper web 11, and that a first roller 71 receives the additive material from the reservoir 69 and transfers it to a second roller 73, which then transfers it to a third roller 61 having protruding dies 65 in contact with the paper 11. (Official Action, p. 2.) The Official Action states that, with respect to claims 3, 7, 12, and 16, the inside major surface is deemed as the surface in contact with the protruding dies 65, and the other side of the paper is deemed as the outside major surface. The Official Action states that, with respect to claim 8, the claimed means for contacting the third roller with the second roller and the means for contacting the third roller with the paper web is deemed as the shaft holding in place the rollers shown in Fig. 3. The Official Action states that, with respect to claim 9, the protruding dies 65 are spaced in a pattern as shown in Fig. 3. The Official Action states that, with respect to claim 10, the claimed means for supplying the additive material to at least a portion of the roll face of the second roller is deemed as reservoir 69, the means for transferring some of the

additive material on the roll face of the second roller to the third roller is deemed as the shaft holding in place the second roller, and the means for providing transfer of the additive material of the roll face of the third roller to the paper web is deemed as protruding dies 65. The Official Action states that, with respect to claim 14, the claimed bobbin is deemed as element 27, the claimed garniture region is deemed as the region formed by element 39, and the phrase “garniture region” is deemed as any region or place without any structural feature. The Official Action states that, with respect to claim 17, the claimed means for contacting the third roller with the second roller and the means for contacting the second roller with the first roller is deemed as the shaft holding in place the roller shown in Fig. 3. The Official Action states that, with respect to claims 19-21, D’Amato et al. provides the claimed method steps. (Official Action, pp. 2-3.)

D’Amato et al. discloses an apparatus for forming a casting of a surface relief pattern of a hologram on a sheet material. A liquid resin is transferred from a reservoir to an anilox roller having holes over substantially its entire surface. The anilox roller is in rolling contact with a transfer roller and transfers the resin to the surface of the transfer roller. The transfer roller is in rolling contact with a cylinder having raised portions on its surface, and transfers the resin to those raised portions. A continuous web of sheet material is guided around the cylinder such that the resin on the raised portions of the cylinder is transferred to desired locations and cured with radiation to form a hologram on the sheet material. (D’Amato et al., col. 3, line 65 – col. 4, line 3; col. 5, line 46 – col. 6, line 13; Fig. 3.)

Nowhere does D’Amato et al. disclose an apparatus for applying an additive material to a continuous advancing strip of a paper web *within a cigarette making machine*, the apparatus comprising *a third roller in roll contact with the second roller and a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web, wherein the paper web is suitable for making a continuous smokable rod*, as in claims 1, 10, and 14. Nowhere does D’Amato et al. disclose a method for applying an additive material to a continuous advancing strip of a paper web suitable *for forming a*

*continuous smokable rod within a cigarette making machine, comprising the steps of transferring the additive material from the second roller to the third roller by contacting the roll face of the third roller with the roll face of the second roller; and providing a fourth roller having a roll face (a) in roll contact with the roll face of the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers; and transferring the additive material to the paper web by contacting the roll face of the third roller with the paper web when the paper web passes between the third and fourth rollers,* as in claims 19, 20, and 21. In contrast, D'Amato et al. discloses an apparatus for forming a casting of a surface relief pattern of a hologram by transferring a resin from third roller to a sheet material. D'Amato et al. fails to disclose a fourth roller and thus fails to disclose transferring an additive material to a paper web by contacting the roll face of the third roller with the paper web *when the paper web passes between the third and fourth rollers.* Consequently, D'Amato et al. fails to disclose each and every element of the present invention as claimed in claims 1, 10, 14, 19, 20, and 21.

Therefore, Applicant respectfully submits that D'Amato et al. fails to anticipate claims 1, 10, 14, 19, 20, and 21. Claims 3, 5, and 7-9 depend from claim 1; claim 12 depends from claim 10; and claims 16-17 depend from claim 14. Therefore, claims 3, 5, 7-9, 12, and 16-17 are likewise not anticipated by D'Amato et al.

Furthermore, with respect to claims 8 and 10, D'Amato et al. does not show or describe a shaft, as the examiner asserts. Therefore, Applicant respectfully submits that D'Amato et al. fails to disclose means for contacting a third roller with a second roller. Consequently, claims 8 and 10 are not anticipated by D'Amato.

Claim 14 has been amended herein to recite "a garniture region for forming a continuous smokable rod." D'Amato et al. does not disclose a garniture region for forming a continuous smokable rod, as in amended claim 14. In addition, Applicant respectfully requests that the examiner provide an explanation as to what is meant by the contradictory statements that the garniture region is deemed as the region formed by element 39, and that "garniture region" is

deemed as any region or place without any structural element. How can a garniture region be both a particular element and a region without any structural element? Accordingly, claim 14 is not anticipated by D'Amato et al.

For all of these reasons, the Office is respectfully requested to withdraw the rejections of claims 1, 3, 5, 7-10, 12, 14, 16-17, and 19-21 under 35 USC § 102(b).

**Claims 1-17 and 19-21 – 35 USC § 102(b)**

The rejections of claims 1-17 and 19-21 under 35 USC § 102(b) as being anticipated by West et al. are respectfully traversed.

Claim 1 of the present invention claims “[a]n apparatus for applying an additive material to a continuous advancing strip of a paper web within a cigarette making machine, the apparatus comprising: a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face; a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face; *a third roller in roll contact with the second roller* and adapted to (a) receive the additive material to desired locations on its roll face from the roll face of the second roller and (b) apply that additive material to the continuous advancing strip of paper web; and *a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web, wherein the paper web is suitable for making a continuous smokable rod.* (Claim 1, emphasis added.)

Claim 10 of the present invention claims “[a]n apparatus for applying an additive material to a continuous advancing strip of a paper web within a cigarette making machine, the apparatus comprising: a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face; a second roller having a roll face and being in roll contact with the first roller; a means for supplying the additive material to at least a portion of the roll face of

the second roller; *a third roller having a roll face and being in roll contact with the second roller;* a means for transferring some of the additive material on the roll face of the second roller to the third roller at predetermined locations on the roll face of the third roller; and a means for providing transfer of the additive material on the predetermined locations on the roll face of the third roller to desired regions of the paper web, comprising *a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web, wherein the paper web is suitable for making a continuous smokable rod.* (Claim 10, emphasis added.)

Claim 14 of the present invention claims “[a]n apparatus for manufacturing a continuous cigarette rod, the apparatus comprising: a bobbin for supplying a continuous strip of a paper web suitable for making a continuous smokable rod; a garniture region for forming a continuous smokable rod; an apparatus for applying an additive material to the continuous strip of a paper web, the applicator apparatus (a) being located between the bobbin and the garniture region such that the paper web supplied by the bobbin has the additive material applied thereto prior to entering the garniture region; (b) having a first roller adapted to receive the additive material from a reservoir on at least a portion of its roll face, (c) having a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face, and (d) having *a third roller in roll contact with the second roller* and adapted to (i) receive the additive material to desired locations on its roll face from the roll face of the second roller and (ii) apply that additive material to the continuous strip of a paper web, and (e) having *a fourth roller having a roll face (i) located in roll contact with the third roller and (ii) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web.* (Claim 14, emphasis added.)

Claim 19 of the present invention claims “[a] method for applying an additive material to a continuous advancing strip of a paper web suitable for forming a continuous smokable rod within a cigarette making machine, the method comprising: providing a first roller adapted to

receive the additive material *from a reservoir* on at least a portion of its roll face; providing a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face from the first roller; providing *a third roller in roll contact with the second roller* and adapted to (a) receive the additive material to desired locations on its roll face from the roll face of the second roller and (b) apply that additive material to the continuous advancing strip of paper web; providing *a fourth roller having a roll face (a) located in roll contact with the third roller and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers*; operating the rollers such that additive material is supplied to a region on the roll face of the second roller, the additive material is transferred from the second roller in a predetermined manner, and *the additive material is transferred from the roll face of the third roller to the continuous advancing strip of a paper web in a predetermined manner when the paper web passes between the third and fourth rollers*; and advancing the strip of a paper web to a garniture region in the cigarette making machine for forming a continuous smokable rod.

(Claim 19, emphasis added.)

Claim 20 of the present invention claims “[a] method for applying an additive material to a continuous advancing strip of a paper web suitable for forming a continuous smokable rod within a cigarette making machine, the method comprising: providing a first roller having a roll face; providing a second roller having a roll face; providing a third roller having a roll face; providing *a fourth roller having a roll face*; rotating the first, second, and third rollers; *supplying the additive material from a reservoir to the roll face of the first roller*; supplying the additive material to the roll face of the second roller through roll interaction of the first roller with the second roller; *supplying the additive material to predetermined locations on the roll face of the third roller through roll interaction of the second roller with the third roller*; *continuously advancing the strip of a paper web so as to provide a moving strip of paper web between the roll faces of the third and fourth rollers*; *contacting the roll face of the third roller with the roll face of the fourth roller and with the moving strip of paper web so as to transfer the additive material to the web in a predetermined pattern*; and advancing the strip of a paper web to a garniture

region in the cigarette making machine for forming a continuous smokable rod. (Claim 20, emphasis added.)

Claim 21 of the present invention claims “[a] method for applying an additive material to a continuous advancing strip of a paper web suitable for forming a continuous smokable rod within a cigarette making machine, comprising the steps of: supplying the continuous advancing strip of a paper web; providing a first roller having a roll face; providing a second roller having a roll face; providing an additive reservoir adjacent to the first roller for containing the additive material; supplying the additive material from the reservoir to the roll face of the first roller; supplying the additive material to the roll face of the second roller through roll interaction of the first roller with the second roller; providing a third roller (a) having dies protruding from the third roller, each die having a roll face, (b) adapted to receive the additive material from the roll face of the second roller on the roll faces of the dies, (c) having the roll faces of the dies in roll contact with the second roller, (d) having the roll faces of the dies in contact with the paper web, and (e) adapted to transfer the additive material from the roll faces of the dies to the paper web; *transferring the additive material from the roll face of the second roller to the roll faces of the dies by contacting the roll faces of the dies of the third roller with the roll face of the second roller*; providing *a fourth roller having a roll face (a) in roll contact with the roll faces of the dies and (b) positioned such that the paper web passes between the roll faces of the third and fourth rollers*; *transferring the additive material to the paper web by contacting the roll faces of the dies of the third roller with the paper web when the paper web passes between the third and fourth rollers*; and advancing the strip of a paper web to a garniture region in the cigarette making machine for forming a continuous smokable rod. (Claim 21, emphasis added.)

The Official Action states that West et al. discloses an apparatus for applying an additive material (W) to a paper web (S), and that a first roller 14 receives the additive material supplied by reservoir 20, transfers it to a second roller 12, which then transfers it to a third roller 11 having protruding dies 11a in contact with paper S and in roll contact with a fourth roller 10 to allow for the paper S to be between the roll faces of the third and fourth rollers. The Official

Action states that, with respect to claims 3-4, 7, 12-13, and 16, the inside major surface is deemed as the surface in contact with protruding dies 11a, and the other side of the paper is deemed as the outside major surface. The Official Action states that, with respect to claim 8, the claimed means for contacting the third roller with the second roller and the means for contacting the third roller with the paper web is deemed as the shaft holding in place the rollers shown in the figure. The Official Action states that, with respect to claim 9, the protruding dies 11a are spaced in a pattern as shown in the figure. The Official Action states that, with respect to claim 10, the claimed means for supplying the additive material to at least a portion of the roll face of the second roller is deemed as reservoir 20, the means for transferring some of the additive material on the roll face of the second roller to the third roller is deemed as the shaft holding in place the second roller, and the means for providing transfer of the additive material of the roll face of the third roller to the paper web is deemed as the protruding dies 11a. The Official Action states that, with respect to claim 14, the claimed bobbin is deemed as the paper source reel providing a continuous paper (S), the claimed garniture region is deemed as an arbitrary region that is between the bobbin and the paper web source, and the phrase “garniture region” is deemed as any region or place without any structural feature. The Official Action states that, with respect to claim 17, the claimed means for contacting the third roller with the second roller and the means for contacting the second roller with the first roller is deemed as the shaft holding in place the rollers shown in the figure. The Official Action states that, with respect to claims 19-21, West et al. provides the claimed method steps. (Official Action, pp. 3-5.)

West et al. discloses an apparatus for hot wax carbon printing. The apparatus includes a series of rollers in rolling contact with each other along a train. A dip roller rotates to pick up hot wax from a wax ink fountain and transfers the wax to a doctor roller. The doctor roller transfers the wax to the first of a series of three rollers, the third roller of which in turn transfers the wax to a blanket roller. The blanket roller is in rolling contact with, and transfers the wax to, raised printing plates on the peripheral surface of a plate roller. The raised printing plates of the plate roller are in rolling contact with an impression roller and a feed of paper between the plate roller and the impression roller. The raised printing plates of the plate roller transfer hot wax

spots onto the paper. Thus, West discloses a series of eight rollers to transfer wax from a source to a feed of printing paper. (West et al., col. 3, lines 21-59; Fig.)

Nowhere does West et al. disclose an apparatus for applying an additive material to a continuous advancing strip of a paper web *within a cigarette making machine*, the apparatus comprising a first roller adapted to receive the additive material from a reservoir on at least a portion of its roll face; a second roller adjacent to, or in roll contact with, the first roller adapted to receive the additive material to at least a portion of its roll face; a third roller in roll contact with the second roller and adapted to (a) receive the additive material to desired locations on its roll face from the roll face of the second roller and (b) apply that additive material to the continuous advancing strip of paper web, as in claims 1, 10, and 14. Nowhere does West et al. disclose a method for applying an additive material to a continuous advancing strip of a paper web suitable *for forming a continuous smokable rod within a cigarette making machine*, comprising the supply of additive material to a first roller, transfer of the additive material from the first roller to a second roller in roll contact with the first roller, from the second roller to a third roller in roll contact with the second roller, and from the third roller in roll contact with the paper web, as in claims 19, 20, and 21. In contrast, West et al. discloses a series of eight rollers to transfer wax from a source to a feed of printing paper. Consequently, West et al. fails to disclose each and every element of the present invention as claimed in claims 1, 10, 14, 19, 20, and 21.

Therefore, Applicant respectfully submits that West et al. fails to anticipate claims 1, 10, 14, 19, 20, and 21. Claims 2, 4, 6, 11, 13, and 15 have been canceled herein. Claims 3, 5, and 7-9 depend from claim 1; claim 12 depends from claim 10; and claims 16-17 depend from claim 14. Therefore, claims 3, 5, 7-9, 12, and 16-17 are likewise not anticipated by West et al.

Furthermore, with respect to claims 8 and 10, West et al. does not show or describe a shaft, as the examiner asserts. Therefore, Applicant respectfully submits that West et al. fails to

disclose means for contacting a third roller with a second roller. Consequently, claims 8 and 10 are not anticipated by West et al.

Claim 14 has been amended herein to recite “a garniture region for forming a continuous smokable rod.” West et al. does not disclose a garniture region for forming a continuous smokable rod, as in amended claim 14. In addition, Applicant respectfully requests that the examiner provide an explanation as to what is meant by the contradictory statements that the garniture region is deemed as the region formed by element 39, and that “garniture region” is deemed as any region or place without any structural element. How can a garniture region be both a particular element and a region without any structural element? Accordingly, claim 14 is not anticipated by West et al.

For all of these reasons, the Office is respectfully requested to withdraw the rejections of claims 1-17 and 19-21 under 35 USC § 102(b).

**Claim 18- 35 USC § 103(a)**

The rejection of claim 18 under 35 USC § 103(a) as being unpatentable over D’Amato et al. or West et al. in view of Hall is respectfully traversed.

Claim 14 of the present invention claims “[a]n apparatus for manufacturing a continuous cigarette rod, the apparatus comprising: a bobbin for supplying a continuous strip of a paper web suitable for making a continuous smokable rod; a garniture region for forming a continuous smokable rod; an apparatus for applying an additive material to the continuous strip of a paper web, the applicator apparatus (a) being located between the bobbin and the garniture region such that the paper web supplied by the bobbin has the additive material applied thereto prior to entering the garniture region; (b) having a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face, (c) having a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face, and (d)

having *a third roller in roll contact with the second roller* and adapted to (i) receive the additive material to desired locations on its roll face from the roll face of the second roller and (ii) apply that additive material to the continuous strip of a paper web, and (e) having *a fourth roller having a roll face (i) located in roll contact with the third roller and (ii) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web.* (Claim 14, emphasis added.)

The Official Action states that D'Amato et al. and West et al. are silent disclosing the first roller having a groove across the width of the roll face and circumscribing the roll face; that Hall teaches that a groove is placed on the first roller in order to receive the additive material; and that at the time the invention was made it would have been obvious to a person of ordinary skill in the art to have modified the first rollers of D'Amato et al. and West et al. with a groove across the width of the roll face and circumscribing the roll face in order to allow for the additive material to stay on the roll face as taught by Hall. (Official Action, p. 5.)

Hall discloses a method and apparatus for forming a multi-sectional particulate-containing, cavity type cigarette filter. The apparatus includes a means for placing increments of a glue on one side of a stream of plug wrap paper at predetermined spacings from each other. (Hall, col. 2, lines 27-29, 55-59.) The means for placing increments of a glue on one side of a paper can comprise a glue transfer apparatus having three vertically-aligned rollers. In one embodiment, the lowermost, or first, roller is rotatably mounted on a glue pot and picks up a layer of glue from the glue pot during rotation. The second roller has a plurality of circumferentially spaced flats in its surface and is pressed against the surface of the first roller, whereby the second roller receives glue from the first roller into the flats. The third roller is rotatably mounted above the second roller such that when the stream of plug wrap paper passes between the second and third rollers, the second roller transfers the glue from the flats to the plug wrap paper in spaced increments. (Hall, Fig. 2; col. 5, lines 43-64; col. 6, lines 21-26 (emphasis added).)

In another embodiment disclosed in Hall, the lowermost, or first, roller is rotatably mounted on a glue pot and has a circumferential groove in its surface by which the roller picks up a layer of glue from the glue pot during rotation. The second roller has a circumferential surface which receives a strip of glue from the groove in the first roller and is spaced below the path of the plug wrap paper. The third roller is provided with a plurality of radial spokes and is positioned above the second roller such that the spokes periodically deflect the plug wrap paper about the second roller, whereby glue is transferred from the strip of glue on the second roller in increments onto the plug wrap paper. (Hall, Fig. 5; col. 6, lines 40-67.)

As discussed herein, neither D'Amato et al. nor West et al. discloses an apparatus *for manufacturing a continuous cigarette rod*, the apparatus comprising . . . an apparatus for applying an additive material to the continuous strip of a paper web, the applicator apparatus . . . (b) having a first roller adapted to receive the additive material *from a reservoir* on at least a portion of its roll face, (c) having a second roller adjacent to the first roller adapted to receive the additive material to at least a portion of its roll face, and (d) having *a third roller in roll contact with the second roller* and adapted to (i) receive the additive material to desired locations on its roll face from the roll face of the second roller and (ii) apply that additive material to the continuous strip of a paper web, and (e) having *a fourth roller having a roll face (i) located in roll contact with the third roller and (ii) positioned such that the paper web passes between the roll faces of the third and fourth rollers where the additive material is applied to the paper web*, as in claim 14. Accordingly, D'Amato et al. and West et al. each fail to disclose each and every element of the present invention as claimed in claim 14. Therefore, Applicant respectfully submits that D'Amato et al. and West et al. each fail as a reference with respect to claim 14. Hall also fails to disclose such an apparatus, as in claim 14. As a result, Hall fails to overcome the deficiency of D'Amato et al. and West et al. as references.

Therefore, Applicant respectfully submits that the combination of these three references does not teach or suggest each and every element of the invention in claim 14, nor does either reference provide any suggestion or motivation to combine these references. In particular,

D'Amato et al. discloses an apparatus for forming a casting of a surface relief pattern of a hologram by transferring a resin from third roller to a sheet material. D'Amato et al. fails to disclose a fourth roller and thus fails to disclose transferring an additive material to a paper web by contacting the roll face of the third roller with the paper web *when the paper web passes between the third and fourth rollers.* West et al. discloses a series of eight rollers to transfer wax from a source to a feed of printing paper, and thus does not disclose the transfer of additive material from a reservoir to a first roller, from the first roller to a second roller, from the second roller to a third roller, and from the third roller to the paper web. In addition, neither D'Amato et al., West et al., nor Hall provide any expectation that a combination of these three references would successfully provide the apparatus of claim 14. As a result, claim 14 is not obvious over D'Amato et al. or West et al. in view of Hall.

Claim 18 depends from claim 14. Therefore, claim 18 is likewise not obvious over D'Amato et al. or West et al. in view of Hall.

For all of these reasons, the Office is respectfully requested to withdraw the rejection of claims 18 under 35 USC § 103(a).

#### New Claims

New claims 22-36 have been added to further clarify the subject matter of the invention.

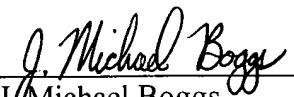
#### CONCLUSION

Applicant submits that a full and complete response has been made herein to the Official Action and, as such, all pending claims in this application are now in condition for allowance. Therefore, Applicant respectfully requests early consideration of the present application, entry of all amendments herein requested, withdrawal of all rejections and objections, and allowance of all pending claims.

The Office is respectfully invited to contact J. Michael Boggs at (336) 747-7536, to discuss any matter relating to this application.

Respectfully submitted,

9/5/06  
Date

  
J. Michael Boggs  
Reg. No. 46,563

Kilpatrick Stockton LLP  
1001 West Fourth Street  
Winston-Salem, NC 27101  
(336) 747-7536  
(336) 734-2632 (facsimile)